

SOFER & HAROUN, LLP
342 Madison Avenue, Suite 1921
New York, NY 10173

(212) 697-2800
Fax: (212) 697-3004

FACSIMILE TRANSMITTAL SHEET

To: Ms. Zender Smith
Fax #: (703) 308-7721
From: Robert M. Haroun, Esq.
Re: *U.S. Patent Application Serial No. 09/368,459*
Our File No.: 693-009

Date: October 18, 2001
Pages: 8, including this cover sheet.

COMMENTS:

As per your request, enclosed please find a copy of the two signed Declarations and a copy of the returned postcard, in connection with the above-identified matter.

Confidentiality Statement

This transmission may contain information which is legally privileged or otherwise protected from disclosure. Its contents are confidential and intended for the addressee only, and must not be used, copied or disseminated by any person other than the addressee. The recipient is requested to notify the sender immediately of any error in transmission and to destroy any transmission not intended for the recipient.

BEST AVAILABLE COPY

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

-----X
In re Reissue Patent Application of
 Smallwood et al. :

U.S. Patent No. 5,654,609 :

Patent Granted: August 5, 1997 :

Title: GAS DISCHARGE LAMP AND POWER :
 DISTRIBUTION SYSTEM THEREFOR :
-----X

**REISSUE APPLICATION BY INVENTORS,
OFFER TO SURRENDER PATENT UNDER 37 CFR 1.178**

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

S I R:

This Offer to Surrender Patent is submitted pursuant to 37 CFR 1.172, and is part of an application for a reissue patent based on U.S. Patent No. 5,654,609 filed herewith. We are the inventors of the original U.S. Patent No. 5,654,609. We hereby offer to surrender the original patent.

1. ☒ Filed herewith is a certificate under 37 CFR 3.73(b).
2. ☐ Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.

The written consent of all assignees owning an undivided interest in the original patent is

included in this application for reissue.

First joint inventor: Robert Smallwood
Signature: _____
Date: _____

First joint inventor: Michael Zarich
Signature: Michael P. Zarich
Date: 7/31/99

The Assignee owning an undivided interest in said original patent is LOGIC LABS, INC., and the Assignee consents to the accompanying application for reissue and offer to surrender patent.

I declare that all statements made above of my own knowledge are true and all statements made on information and belief are believed to be true; and these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Name of Assignee: LOGIC LABS, INC.
Signature: _____
Name: _____
Title: _____
Date: _____

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
COMBINED REISSUE DECLARATION, POWER OF ATTORNEY & PETITION

TYPE OF DECLARATION

- ☐ Utility
- ☐ Design
- ☒ Reissue
- ☐ Supplemental
- ☐ Divisional
- ☐ Continuation
- ☐ Continuation-in-part
- ☐ National Stage of the PCT

INVENTORSHIP AND SPECIFICATION IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

GAS DISCHARGE LAMP AND POWER DISTRIBUTION SYSTEM THEREFOR

as described and claimed in the reissue specification and Preliminary Amendment which

- ☒ is attached hereto.
- ☐ was filed on _____
 - ☐ as U.S. Serial Number.; or
 - ☐ Express Mail No. _____ (as serial number not yet known); and
 - ☐ was amended on _____.
- ☐ was described and claimed in PCT International Application No. PCT/ /
filed on _____; and
 - ☐ as amended under PCT Article 19 and/or 34 on _____.

REVIEW OF PAPERS AND DUTY OF CANDOR

I have reviewed and understand the contents of the attached specification including the drawing and claims as amended by the Preliminary Amendment filed herewith; and
I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, in accordance with 37 CFR 1.56(a); and
☒ in compliance with this duty there is attached an information disclosure statement.

PRIORITY CLAIMS

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign applications for patent applications for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)			Priority Claimed	
(Number)	(Country)	(Day/Month/Year/Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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08/116,150	9/2/93	Issued U.S. Patent No. 5,485,057
(Application Serial No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)

Statements of Applicant Pursuant to 37 CFR 1.175

This reissue application, enclosed herewith, is filed pursuant to 35 U.S.C. 251 in order to seek a broadening reissue of the claims of U.S. Patent No. 5,654,609. This reissue application is filed within two years of the grant of U.S. Patent No. 5,654,609.

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POWER OF ATTORNEY

I hereby appoint the following patent attorneys and/or patent agent(s) with full power of appointment, substitution and revocation to prosecute this application, to make alterations and amendments thereto, to receive the patent, and to transact all business in the Patent Office connected therewith.

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Name of first joint inventor: Robert Smallwood

Home Address: 40081 Thomas Mill Road, Leesburg, VA 20175
Post Office Address: Same as above
Citizenship: US

Inventor's Signature: _____ Date: _____

Name of second joint inventor: Michael Zarich

Home Address: 1614 ^{Judson} ~~Letson~~ Drive, Longmont, CO 80501
Post Office Address: Same as above
Citizenship: US

Inventor's Signature: Michael P. Zarich Date: 7/31/99

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
COMBINED REISSUE DECLARATION, POWER OF ATTORNEY & PETITION
TYPE OF DECLARATION

- ☐ Utility
☐ Design
☒ Reissue
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as described and claimed in the reissue specification and Preliminary Amendment which

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08/116,150	9/2/93	Issued U.S. Patent No. 5,485,057
(Application Serial No.)	(Filing Date)	(Status: Patented, Pending, Abandoned)

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Post Office Address: Same as above
Citizenship: US

Inventor's Signature: [Signature] Date: 8-2-97

Name of second joint inventor: Michael Zarich

Home Address: 1614 Jetson Drive, Longmont, CO 80501
Post Office Address: Same as above
Citizenship: US

Inventor's Signature: _____ Date: _____

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08/116,150

9/2/93

Issued U.S. Patent No. 5,485,057

(Application Serial No.)

(Filing Date)

(Status: Patented, Pending, Abandoned)

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Home Address: ^{Judson} 1614 Judson Drive, Longmont, CO 80501
Post Office Address: Same as above
Citizenship: US

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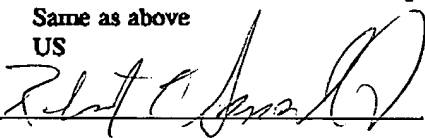
PETITION

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SIGNATURES

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Inventor's Signature:  Date: 8-2-97

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Patent Granted: August 5, 1997 :

Title: GAS DISCHARGE LAMP AND POWER :
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REISSUE APPLICATION BY INVENTORS,
OFFER TO SURRENDER PATENT UNDER 37 CFR 1.178

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

S I R:

This Offer to Surrender Patent is submitted pursuant to 37 CFR 1.172, and is part of an application for a reissue patent based on U.S. Patent No. 5,654,609 filed herewith. We are the inventors of the original U.S. Patent No. 5,654,609. We hereby offer to surrender the original patent.

1. [X] Filed herewith is a certificate under 37 CFR 3.73(b).

2. [] Ownership of the patent is in the inventor(s), and no assignment of the patent has been made.

The written consent of all assignees owning an undivided interest in the original patent is

included in this application for reissue.

First joint inventor: Robert Smallwood
Signature: *Robert Smallwood*
Date: 8-2-89

First joint inventor: Michael Zarich
Signature: _____
Date: _____

The Assignee owning an undivided interest in said original patent is LOGIC LABS, INC., and the Assignee consents to the accompanying application for reissue and offer to surrender patent.

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Name of Assignee: LOGIC LABS, INC.
Signature: _____
Name: _____
Title: _____
Date: _____

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Smallwood et al. :
U.S. Patent No. 5,654,609 :
Patent Granted: August 5, 1997 :
Title: GAS DISCHARGE LAMP AND POWER :
DISTRIBUTION SYSTEM THEREFOR :
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CONSENT OF ASSIGNEE TO FILE REISSUE APPLICATION UNDER 37 CFR 1.172

Hon. Commissioner of Patents
and Trademarks
Washington, D.C. 20231

S I R:

This Consent of Assignee is submitted pursuant to 37 CFR 1.172. Assignee,
LOGIC LABS, INC., hereby consents to the filing of a reissue patent application in
connection with the above-referenced U.S. patent so as to broaden the claims thereof. The
undersigned has the authority to act on behalf of the assignee, LOGIC LABS, INC., pertaining
to the reissue application at issue.

Signature:



Name:

Robert T. C. Smallwood

Title:

Vice President R&D

Date:

8-2-99

Attorney Docket No. 693-009

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In re Reissue Patent Application of
Smallwood et al. :

U.S. Patent No. 5,654,609:

Patent Granted: August 5, 1997 :

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CERTIFICATE UNDER 37 CFR 3.73(b)
ACCOMPANYING REISSUE APPLICATION

Logic Laboratories, Inc., a corporation, certifies that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of either:

A. An assignment from the inventor(s) of the patent application identified above. The assignment was recorded in the Patent and Trademark office at Reel Frame or for which a copy thereof is attached.

OR

B. A chain of title from the inventor(s), of the patent application identified above, to the current assignee as shown below:

1. From: **Michael P. Zarich** To: **American Compact Lighting, LLC**
The document was recorded in the Patent and Trademark Office at
Reel **7358** , Frame **0593** , or for which a copy thereof is attached.
2. From: **American Compact Lighting, LLC** To: **Logic Laboratories, Inc.**
The document was recorded in the Patent and Trademark Office at
Reel **7927** , Frame **0139** , or for which a copy thereof is attached.
3. From: **Logic Laboratories, Inc.** To: **Robert C. Smallwood**
The document was recorded in the Patent and Trademark Office at

Reel 7919 , Frame 0836 , or for which a copy thereof is attached.

4. From: Robert C. Smallwood To: Logic Laboratories, Inc.
The document was recorded in the Patent and Trademark Office at
Reel 8104 , Frame 0123 , or for which a copy thereof is attached.

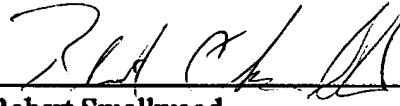
Copies of assignments or other documents in the chain of title are attached.

The undersigned has reviewed all the documents in the chain of title of the patent application identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 8-2-99

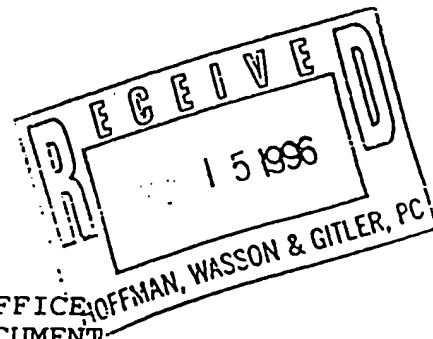

Robert Smallwood
Vice President, R&D
Logic Laboratories, Inc.

NOVEMBER 10, 1996

PTAS

HOFFMAN, WASSON & GITLER
STEWART GITLER
2361 JEFFERSON DAVIS HIGHWAY
SUITE 522
ARLINGTON, VA 22202

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ASSISTANT SECRETARY AND COMMISSIONER
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Washington, D.C. 20231



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RECORDATION DATE: 08/27/1996

REEL/FRAME: 8104/0123
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

SMALLWOOD, ROBERT C.

DOC DATE: 08/26/1996

ASSIGNEE:

LOGIC LABORATORIES, INC.
751 MILLER DRIVE, S.E.
SUITE E-3
LEESBURG, VIRGINIA 22075

SERIAL NUMBER: 08496623
PATENT NUMBER:

FILING DATE: 06/29/1995
ISSUE DATE:

4-5785C

SERIAL NUMBER: 08520881
PATENT NUMBER:

FILING DATE: 08/30/1995
ISSUE DATE:

4-5195

SERIAL NUMBER: 08656687
PATENT NUMBER:

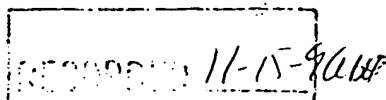
FILING DATE: 05/31/1996
ISSUE DATE:

4-5207

SERIAL NUMBER: 08646924
PATENT NUMBER:

FILING DATE: 05/08/1996
ISSUE DATE:

4-5291



SERIAL NUMBER: 08116
PATENT NUMBER: 54850

FILING DATE: 09/02/1993
ISSUE DATE: 01/16/1996

MARGARET LASALLE, PARALEGAL
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

To the Honorable Commission

d the attached original documents or copy thereof.

1. Name of conveying party(ies):

ROBERT C. SMALLWOOD

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

2. Name and address of receiving party(ies)

Name: LOGIC LABORATORIES, INC.

Internal Address: _____

Street Address: 751 Miller Drive, S.E.

Suite E-3

City: Leesburg State: VA ZIP: 22075

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other _____

Execution Date: August 26, 1996

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No.(s)

08/496,623

08/656,687

08/520,881

08/646,924

B. Patent No.(s)

5,485,057

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Stewart L. Gitler

Internal Address: _____

HOFFMAN, WASSON & GITLER, P.C.

Street Address: 2361 Jefferson Davis Highway

Suite 522

City: Arlington State: VA ZIP: 22202

6. Total number of applications and patents involved: 5

7. Total fee (37 CFR 3.41).....\$ 200.00

☒ Enclosed☐ Authorized to be charged to deposit account

8. Deposit account number:

08-2455 (Deficiencies Only)

(Attach duplicate copy of this page if paying by deposit account)

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160 DM 08/29/96 08496623

1 581

200.00 CK

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Stewart Gitler

Name of Person Signing

Stewart L. Gitler

Signature

8-26-96

Date

Total number of pages including cover sheet, attachments, and document: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments
Washington, D.C. 20231

ASSIGNMENT OF INVENTION

Whereas, ROBERT C. SMALLWOOD, ASSIGNOR, is the owner of the patents, patent applications and technology rights appended hereto which are registered or pending in the Patent Offices noted;

Whereas, LOGIC LABORATORIES, INC. (a Delaware Corporation), ASSIGNEE, is desirous of obtaining the entire right, title, and interest in and to all the patents, patent applications and technology rights listed on the Attached Appendix worldwide;

Whereas, pursuant to the repayment of certain loans and obligations to Assignor by Assignee and for a guaranteed 5% royalty on gross sales of products sold by LOGIC LABORATORIES, INC., ROBERT C. SMALLWOOD hereby sells, assigns and transfers to LOGIC LABORATORIES, INC., all title and interest in such patent rights and technology including any divisions, continuations, or reissues thereof. Such sale, assignment and transfer to be effective as of the date of last signature hereto.

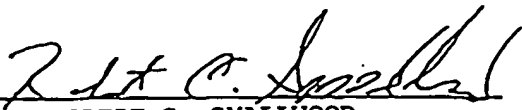
ROBERT C. SMALLWOOD

8-25-96
Date


Assignor

LOGIC LABORATORIES, INC.

8-25-96
Date


By: ROBERT C. SMALLWOOD
Title: President
Assignee

APPENDIX

- U.S. Patent 5,485,057, entitled Gas Discharge Lamp and Power Distribution system filed on September 2, 1993, issued January 16, 1996
- U.S. patent application Serial No. 08/496,623, entitled Gas Discharge Lamp and Power Distribution System, filed June 29, 1995, a division of U.S. patent application Serial No. 08/116,150 (to be issued as U.S. Patent 5,485,057, as above)
- U.S. patent application Serial No. 08/520,881, entitled Socket and ballast for A Gas Discharge Lamp, filed on August 30, 1995
- U.S. patent application Serial No. 08/656,687, entitled Improved Dynamic Range Dimmer for Gas Discharge Lamps, filed on May 31, 1996
- U.S. patent application Serial No. 08/646,924, entitled Method and Apparatus for Starting and Operating Gas Discharge Tubes with Direct Current, filed on May 8, 1996
- U.S. patent application in preparation entitled Method of Dimming Gas Discharge Tubes by Means of Varying D.C. Voltage (title is tentative)

JULY 29, 1996

PTAS

HOFFMAN, WASSON & GITLER, P.C.
STEWART L. GITLER, ESQ.
SUITE 522
2361 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

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ASSISTANT SECRETARY AND COMMISSIONER
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Washington 20231



A5195

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RECORDATION DATE: 05/07/1996

REEL/FRAME: 7919/0836
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

LOGIC LABORATORIES, INC.

DOC DATE: 05/03/1996

ASSIGNEE:

SMALLWOOD, ROBERT C.
RT. 2, BOX 81
LEESBURG, VIRGINIA 22075

SERIAL NUMBER: 08496623
PATENT NUMBER:

FILING DATE: 06/29/1995
ISSUE DATE:

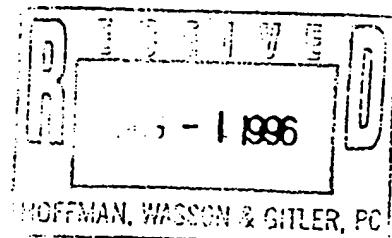
SERIAL NUMBER: 08520881
PATENT NUMBER:

FILING DATE: 08/30/1995
ISSUE DATE:

SERIAL NUMBER: 08116150
PATENT NUMBER: 5485057

FILING DATE: 09/02/1993
ISSUE DATE: 01/16/1996

RECORDED 8-19-96



STEVEN POST, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

LES, INC. 5.7.96
M.O.P.

Signature

—

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Washington, D.C. 20231

ASSIGNMENT OF INVENTION

Whereas, LOGIC LABORATORIES, INC. (a Delaware Corporation), ASSIGNOR, is the owner of the patents, patent applications and technology rights appended hereto which are registered or pending in the Patent Offices noted;

Whereas, ROBERT C. SMALLWOOD, ASSIGNEE, is desirous of obtaining the entire right, title, and interest in and to all the patents, patent applications and technology rights listed on the attached Appendix worldwide;

Whereas, pursuant to the assumption of certain liability of Assignor by Assignee, LOGIC LABORATORIES, INC. hereby sells, assigns and transfers to ROBERT C. SMALLWOOD, all title and interest in such patent rights and technology including any divisions, continuations, or reissues thereof. Such sale, assignment and transfer to be effective as of the date of last signature hereto.

LOGIC LABORATORIES, INC., Assignor

May 3, 1996
Date

Timothy E. Walsh
By: TIMOTHY E. WALSH
Title: Secretary

ROBERT C. SMALLWOOD, Assignee

May 3, 1996
Date

Robert C. Smallwood

APPENDIX

- U.S. Patent 5,485,057, entitled Gas Discharge Lamp and Power Distribution System filed on September 2, 1993, issued January 16, 1996
- U.S. patent application Serial No. 08/496,623, entitled Gas Discharge Lamp and Power Distribution system, filed June 29, 1995, a division of U.S. patent application Serial No. 08/116,150 (to be issued as U.S. Patent 5,485,057, as above)
- U.S. patent application Serial No. 08/520,881, entitled Socket and Ballast for a Gas Discharge Lamp, filed on August 30, 1995
- U.S. patent application in preparation entitled Improved Dynamic Range Dimmer for Gas Discharge Lamps
- U.S. patent application in preparation entitled Method and Apparatus for Starting and Operating Gas Discharge Tubes with Direct Current
- U.S. patent application in preparation entitled Method of Dimming Gas Discharge Tubes by Means of Varying D.C. Voltage (title is tentative)

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TEN



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Washington, D.C. 20231

AUGUST 04, 1996

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STEWART L. GITLER, ESQ.
SUITE 522
2361 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202



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RECORDATION DATE: 05/08/1996

REEL/FRAME: 7927/0139

NUMBER OF PAGES: 8

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

AMERICAN COMPACT LIGHTING, L.L.C.

DOC DATE: 01/25/1996

ASSIGNEE:

LOGIC LABORATORIES, INC.
751 MILLER DRIVE, S.E., SUITE F
LEESBURG, VIRGINIA 22075

SERIAL NUMBER: 08496623

PATENT NUMBER:

FILING DATE: 06/29/1995

ISSUE DATE:

SERIAL NUMBER: 08520881

PATENT NUMBER:

FILING DATE: 08/30/1995

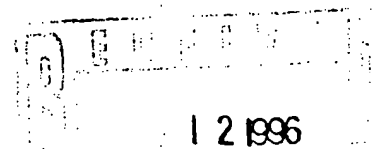
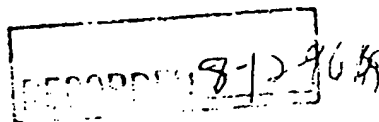
ISSUE DATE:

SERIAL NUMBER: 08116150

PATENT NUMBER: 5485057

FILING DATE: 09/02/1993

ISSUE DATE: 01/16/1996



SEDLEY PYNE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

ASSIGNMENT AND ASSUMPTION AGREEMENT

THIS ASSIGNMENT AND ASSUMPTION AGREEMENT (this "Assumption") is made and entered into as of this 4th day of December, 1995, and between American Compact Lighting, L.L.C., a Virginia limited liability corporation ("Assignor") and Logic Laboratories, Inc., a Delaware corporation ("Assignee").

WITNESSETH:

WHEREAS, ACL, as the sole stockholder of Assignor, has contributed certain assets to Assignee in connection with the organization of Assignee; and

WHEREAS, pursuant to such contribution, Assignor desires to assign to Assignee all of its right, title and interest in and to certain assets, and Assignee desires to assume certain of Assignor's covenants, duties, obligations and liabilities in regards to those assets.

NOW, THEREFORE, in consideration of the foregoing, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto, intending to be legally bound hereby, agree as follows:

1. Assignor hereby transfers, assigns, and delegates unto Assignee, its successors and assigns, all of Assignor's right, title, interest, and copyright in and to those assets listed on Exhibit I attached hereto (the "Assets").

2. Assignee hereby accepts all of Assignor's right, title, interest and copyright in and to the Assets, and agrees to assume and perform all of the covenants, duties, obligations and liabilities of Assignor listed on Exhibit II attached hereto (the "Liabilities"), as and when such Liabilities are due pursuant to their respective operative documents.

3. This Assignment shall be binding upon and shall inure to the benefit of the parties hereto and their respective successors, permitted assigns, and legal representatives.

IN WITNESS WHEREOF, the parties hereto have caused this Assignment to be executed as of the date first above written.

ASSIGNOR:

AMERICAN COMPACT LIGHTING, L.L.C.
a Virginia limited liability corporation

By: Robert C. Smallwood

Robert C. Smallwood, Manager

ASSIGNEE:

LOGIC LABORATORIES, INC.,
a Delaware corporation

By: Timothy E. Walsh

Name: Timothy E. WALSH

Title: Secretary

2

- 14-00000

EXHIBIT II

- Assumption, Payment Agreement and Amended and Restated Royalty Agreement, by and between ACL and Smallwood, dated January 25, 1996.

**ASSUMPTION, PAYMENT AGREEMENT AND
AMENDED AND RESTATED ROYALTY AGREEMENT**

This Assumption, Payment Agreement and Amended and Restated Royalty Agreement ("this Assumption and Agreement") is entered into as of January 25, 1996, by and between Robert C. Smallwood, individually ("Smallwood"), and American Compact Lighting, L.L.C., a Virginia limited liability company. Hereinafter, "ACL" shall refer to American Compact Lighting, L.L.C., its successor, or its permitted assign, as the case may be. Smallwood and ACL are referred to hereinafter as, individually, "Party" and, collectively, "Parties."

WITNESSETH

WHEREAS, ACL and Smallwood entered into a Royalty Agreement, dated July 15, 1994 (the "Royalty Agreement"), under which ACL agreed to provide Smallwood with a certain royalty in return for the consideration described in an Assignment, dated January 10, 1994, executed by Smallwood (the "Assignment") to ACL of certain rights of Smallwood in the field of electronic ballasts; and

WHEREAS, ACL owed W. Gray Price, IV ("Price") the sum of \$212,000.00 and Timothy E. Walsh ("Walsh") the sum of \$73,000.00 for monies loaned to ACL by Price and Walsh; and

WHEREAS, in connection with two promissory notes executed by Smallwood on December 28, 1995, Smallwood assumed ACL's obligation to pay such sums to Price and Walsh in consideration of ACL's willingness to amend and restate the Royalty Agreement; and

WHEREAS, the Parties desire to amend and restate the Royalty Agreement to reflect Smallwood's assumption of the above stated obligations of ACL and the royalty to be paid Smallwood.

NOW, THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the Parties, intending to be legally bound, agree as follows:

1. Smallwood hereby confirms his assumption of the obligation of ACL to pay Price the sum of \$212,000.00 and Walsh the sum of \$73,000.00 and has contemporaneously with his execution of this Assumption and Agreement executed the promissory notes (the "Notes") attached as Exhibit A hereto, replacing the promissory notes, dated December 28, 1995.

2. (a) In consideration for the rights, title and interests assigned to ACL under the Assignment and Smallwood's obligations to pay Price and Walsh as set forth in Paragraph 1, above, ACL hereby reaffirms its prior obligations and agrees to pay Smallwood a royalty (the

"Royalty") of five percent (5.00%) on all Royalty Revenue (as defined in Paragraph 6 below) received by ACL during the Royalty Term (as defined in Section 7 below) until such time as Smallwood receives from ACL a total payment of \$585,000 from ACL's Available Funds, pursuant to clauses (a) and (c) of Paragraph 3, below, or from any other source in ACL's sole and absolute discretion. If Smallwood has received from ACL an aggregate of \$585,000 from ACL's Available Funds, pursuant to clauses (a) and (c) of Paragraph 3, below, or from any other source in ACL's sole and absolute discretion, the Royalty due Smallwood pursuant to the immediately preceding sentence of this Paragraph 2 shall be reduced prospectively for the Royalty Term to a percentage equal to the sum of (x) four and one-tenth percent (4.10%), plus (y) any percentage amount (expressed in a percentage on all Royalty Revenue) Smallwood is obligated to pay Richard M. Lavers, which percentage amount shall at no time exceed fifteen-hundredths percent (0.15%) for an aggregate reduced Royalty of no more than four and twenty-five hundredths percent (4.25%) on all Royalty Revenue. Until Smallwood receives from ACL an aggregate of \$585,000 from ACL's Available Funds, pursuant to clauses (a) and (c) of Paragraph 3, below, or from any other source in ACL's sole and absolute discretion, the Royalty due Smallwood pursuant to the first sentence of this Paragraph 2 shall remain at five percent (5.0%) for the Royalty Term on all Royalty Revenue received by ACL for the Royalty Term.

(b) ACL covenants and agrees to use reasonable efforts to make the \$585,000 payment due Smallwood pursuant to Section 3, below, on or before January 10, 1997.

3. To the extent that, at the end each calendar quarter, any money remains after all costs and expenses of ACL are paid as determined by the management of ACL in their sole and absolute discretion, including without limitation, employee salaries and the Royalty set forth in Paragraph 2, above (the "Available Funds"), ACL shall at the end of each calendar quarter pay Smallwood an amount (in addition to the Royalty) equal to the sum of the following amounts: (a) \$71,250.00, until a total of \$285,000 is paid to Smallwood pursuant to this clause (a), plus (b) all interest, if any, due Price and Walsh under the Notes as of the end of such calendar quarters until the Notes are entirely paid in full, plus (c) \$75,000.00, until a total of \$300,000.00 is paid to Smallwood pursuant to this clause (c), plus (d) if a total of \$300,000 has not been paid to Smallwood pursuant to clause (c) of this Paragraph 3 by January 10, 1997, nine percent (9.0%) per annum interest beginning on January 11, 1997, on any outstanding amount due Smallwood under clause (c) of this Paragraph 3. If, at the end of a calendar quarter, such remaining Available Funds are less than the entire amounts due Smallwood under clauses (a), (b), (c) and (d) of this Paragraph 3, then ACL shall pay Smallwood pro rata portions of the amounts otherwise due under such clauses (a), (b), (c), and (d), which portions when combined equal such remaining Available Funds. Notwithstanding the foregoing, ACL shall not be required to pay Smallwood any amounts further under the foregoing clauses (a) and (c) of this Paragraph 3 once all payments made under such clauses equal or exceed \$585,000.00. However, the payments under clause (b) shall remain until such time as the Notes are paid in full.

4. All amounts (including the Royalty) to be paid by ACL to Smallwood under this Assumption and Agreement shall be payable within ten (10) calendar days after the end of each calendar quarter and shall be reconciled annually to audited records of ACL within ninety (90) days after the end of each calendar year. Smallwood shall have the right to examine the books and records of ACL to determine the accuracy of all payments under this Assumption and Agreement, upon reasonable request and subject to reasonable confidentiality arrangements. The royalties payable under this Assumption and Agreement shall be in addition to any other consulting fees, salaries, other royalties or other amounts that may be paid or payable to Smallwood for services to ACL.

5. The rights and obligations of ACL under this Assumption and Agreement shall be binding upon and inure to the successors and permitted assigns of ACL. Smallwood agrees that ACL may assign its obligations under this Assumption and Agreement to Logic Laboratories, Inc., a Delaware corporation. Except as provided in the foregoing sentence, this Assumption and Agreement may not be assigned by either Party without the written consent of the other Party.

6. As used in this Assumption and Agreement, "Royalty Revenue" means gross revenue actually received by ACL, prior to any deductions for any expenses of ACL including without limitation taxes, rents, and employee salaries and bonuses, if any, but after deductions for rebates, warranties, tariffs, and other shipping costs, from the domestic and international sale, licensing, manufacturing and any other sources of income to ACL resulting from the technology evidenced by the patents on Exhibit B attached hereto (the "Patents"). The Parties acknowledge and agree that no Royalty shall be due Smallwood hereunder from any income derived by ACL from technology other than that listed on Exhibit B.

7. The Royalty due Smallwood hereunder shall terminate on the date which is the expiration date of the last of the Patents listed on Exhibit B (the "Royalty Term"). The amounts due Smallwood pursuant to Section 3, above, shall continue until satisfied in full; provided, however, such amounts shall become due and payable in full immediately upon the merger, consolidation, dissolution, or sale of substantially all of the assets of Logic Laboratories, Inc., once this Assumption and Agreement has been assigned to Logic Laboratories, Inc.

8. This Assumption and Agreement constitutes the entire agreement between the Parties with respect to the subject matter hereof and supersedes all prior agreements, understandings, proposals, offers, negotiations and discussions, whether oral or written, between the Parties, including without limitation the Royalty Agreement (which this Assumption and Agreement amends and restates) and the Memorandum to Timothy F. Sutherland from Smallwood, Price and Walsh, dated December 6, 1995, with respect to the subject matter hereof.

9. This Assumption and Agreement cannot be amended, modified or terminated without the written consent of ACL, Smallwood and the holders of the Notes.

IN WITNESS WHEREOF, the Parties have caused this Assumption and Agreement to be executed on the date first above written.

American Compact Lighting, L.L.C.

By: R.C. Small
Name: Robert C. Smallwood
Title: Mgr
Date: Jan. 25, 1996

Robert C. Smallwood, individually

By: R.C. Small
Date: Jan. 25, 1996

REF ID: A67000

ASSIGNMENT

Whereas MICHAEL P. ZARICH of 1614 Judson Drive,
Longmont, Colorado 80501,

is a co-inventor of certain improvements in
GAS DISCHARGE LAMP AND POWER DISTRIBUTION SYSTEM THEREFOR

for which a patent application was filed in the U.S. Patent and
Trademark Office on September 2, 1993, Serial No. 08/116,150, and

Whereas, AMERICAN COMPACT LIGHTING, LLC, of Route 2, Box
81, LEESBURG, VIRGINIA 22075, desires to acquire from MICHAEL P.
ZARICH his entire right, title and interest in the said
application and invention, and to any United States and foreign
patents therefor;

Now therefore, for a valuable consideration, receipt
and adequacy whereof is hereby acknowledged, the above-named,
MICHAEL P. ZARICH, hereby sells, assigns and transfers to
AMERICAN COMPACT LIGHTING, LLC, its successors and assigns, the
entire right, title and interest in the said application and the
invention therein disclosed for the United States and foreign
countries, and all rights of priority resulting from the filing
of said United States application, and he requests the
Commissioner of Patents to issue any Letters Patent granted upon
the invention set forth in said application to AMERICAN COMPACT
LIGHTING, LLC, its successors and assigns; and he hereby agrees
that AMERICAN COMPACT LIGHTING, LLC may apply for foreign Letters
Patent on said invention and he will execute all papers necessary
in connection with the United States and foreign applications
when called upon to do so by AMERICAN COMPACT LIGHTING, LLC.

Signed and sealed at Boulder, Colorado, on
FEBRUARY 1, 1995.

Michael P. Zarich
MICHAEL P. ZARICH

State of Colorado)
County Boulder) ss:

On this 1ST day of FEBRUARY 1995, before me
personally came MICHAEL P. ZARICH known to me to be the person
described in and who executed the foregoing assignment, and he
acknowledged to me that he executed the same as his free act and
deed.

Linda J. Moore
Notary
My Commission Expires 03-15-1998

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